

U.S.S.N. 10/735,570

9

VSI 0101 R

REMARKS

The Examiner objected to claims 36 and 45 due to some minor informalities. The Examiner also rejected claims 1, 2, 4, 5, 7-10, 12, 23, 15, 16, 36-37, 39, 40, and 42-44 under 35 U.S.C. § 103(a) as obvious over Ford et al. The Examiner also rejected claims 1-5, 7-13, 15, 16, 36-40, and 42-44 under 35 U.S.C. § 103(a) as obvious over Bleser et al. Additionally, the Examiner rejected claims 6, 14, and 41 under 35 U.S.C. § 103(a) as obvious over Ford et al. as applied to claim 1 above and further in view of Official Notice. Further, the Examiner rejected claim 35 under 35 U.S.C. § 103(a) as obvious over Bleser et al. in view of Official Notice. Moreover, the Examiner rejected claims 6, 14, and 41 under 35 U.S.C. § 103(a) as obvious over Bleser et al. as applied to claim 1 above and further in view of Official Notice. The Applicants appreciate the Examiner's indication that claims 45-52 are allowed.

Each of these rejections is addressed individually below.

Power of Attorney:

The Applicants have appointed the undersigned to represent them in connection with the present proceedings. While the Applicants acted pro se previously, the enclosed Power of Attorney, which has been executed by the Applicants, authorize the undersigned to act on the Applicants' behalf and respond to the outstanding Office Action.

The Claim Objections:

The Examiner objected to claims 36 and 45 due to some minor informalities. These have been cured above and it is submitted that the claim objections have now been overcome.

U.S.S.N. 10/735,570

10

VSI 0101 R

The Section 103(a) Rejections:

The Examiner rejected claims 1, 2, 4, 5, 7-10, 12, 23, 15, 16, 36-37, 39, 40, and 42-44 under 35 U.S.C. § 103(a) as obvious over Ford et al. The Examiner also rejected claims 1-5, 7-13, 15, 16, 36-40, and 42-44 under 35 U.S.C. § 103(a) as obvious over Bleser et al. Additionally, the Examiner rejected claims 6, 14, and 41 under 35 U.S.C. § 103(a) as obvious over Ford et al. as applied to claim 1 above and further in view of Official Notice. Further, the Examiner rejected claim 35 under 35 U.S.C. § 103(a) as obvious over Bleser et al. in view of Official Notice. Moreover, the Examiner rejected claims 6, 14, and 41 under 35 U.S.C. § 103(a) as obvious over Bleser et al. as applied to claim 1 above and further in view of Official Notice.

Ford et al.

The Examiner rejected independent claims 1, 9, 35, 36, and 44 under section 103(a) as obvious over Ford et al. The Applicants respectfully reconsider these rejections in view of the arguments below. The Ford et al. reference relates to a fluid inflatable safety stanchion – not air inflatable. The device consists of a rubberized fabric structure for use as a highway warning device. The upper surface of the device includes a platform that has sufficient strength and rigidity to support a flasher light or signal. Each of the rejected claims clearly define over the Ford et al. for at least the reasons individually discussed below.

Claim 1:

Initially, claim 1 requires a sports goal. The Ford et al. reference relates to a highway or traffic safety device and thus is not analogous in any way. One of ordinary skill in the art would not look to the Ford et al. reference to solve the problem with prior sports goals.

Nevertheless, even if one consulted the Ford et al. reference, it does not teach or suggest, either alone or in combination with any other reference, Applicants' invention of claim 1. Specifically, the Ford et al. reference does not have a central opening to allow passage of a ball therethrough. Instead, the Ford et al. reference has a platform disposed

U.S.S.N. 10/735,570

11

VSI 0101 R

over the upper surface of the safety device for supporting a flasher light or signal. Further, the device disclosed in Ford et al. does not disclose an inflatable goal structure of any type – let alone a goal structure that is approximately eight feet tall.

For at least these reasons, it is submitted that claim 1 is allowable over the Ford et al. reference. It is also submitted that claims 2 through 8, which depend from claim 1, are allowable for the same reasons.

Claim 9:

Like claim 1, claim 9 also requires a sports goal. Again, the Ford et al. reference relates to a highway or traffic safety device and thus is not analogous in any way to this claim. One of ordinary skill in the art would not look to the Ford et al. reference to solve the problem with prior sports goals.

Nevertheless, even if one consulted the Ford et al. reference, it does not teach or suggest, either alone or in combination with any other reference, Applicants' invention of claim 9. Specifically, the Ford et al. reference does not have a central opening to allow passage of a ball therethrough. Instead, the Ford et al. reference has a platform disposed over the upper surface of the safety device for supporting a flasher light or signal. Further, the device disclosed in Ford et al. does not disclose an inflatable goal structure of any type – let alone a goal structure that is approximately six feet tall.

For at least these reasons, it is submitted that claim 9 is allowable over the Ford et al. reference. It is also submitted that claims 10 through 16, which depend from claim 9, are allowable for the same reasons.

Claim 35:

Claim 35 requires a sports game consisting of a sports goal and a ball for use therewith. As discussed above, the Ford et al. reference relates to a highway or traffic safety device and thus is not analogous in any way. One of ordinary skill in the art would not look to the Ford et al. reference to solve the problem with prior sports goals.

Nevertheless, even if one consulted the Ford et al. reference, it does not teach or suggest, either alone or in combination with any other reference, Applicants' invention of

U.S.S.N. 10/735,570

12

VSI 0101 R

claim 35. Specifically, the Ford et al. reference does not have a central opening to allow passage of a ball therethrough. Moreover, the Ford et al. reference does not disclose a ball or structure for use with a ball. Instead, the Ford et al. reference has a platform disposed over the upper surface of the safety device for supporting a flasher light or signal. Further, the device disclosed in Ford et al. does not teach an inflatable goal structure of any type.

For at least these reasons, it is submitted that claim 35 is allowable over the Ford et al. reference. It is also submitted that claims 57 through 60, which depend from claim 35, are allowable for the same reasons.

Claim 36:

Claim 36 requires a sports goal. As discussed above, the Ford et al. reference relates to a highway or traffic safety device and thus is not analogous in any way. One of ordinary skill in the art would not look to the Ford et al. reference to solve the problem with prior sports goals.

Nevertheless, even if one consulted the Ford et al. reference, it does not teach or suggest, either alone or in combination with any other reference, Applicants' invention of claim 36. Specifically, the Ford et al. reference does not have a central opening to allow passage of a ball therethrough. Instead, the Ford et al. reference has a platform disposed over the upper surface of the safety device for supporting a flasher light or signal. Further, the device disclosed in Ford et al. does not disclose an inflatable goal structure of any type – let alone one that is at least six feet tall.

For at least these reasons, it is submitted that claim 36 is allowable over the Ford et al. reference. It is also submitted that claims 37 through 43, which depend from claim 36, are allowable for the same reasons.

Claim 44:

Claim 44 requires a sports goal. As discussed above, the Ford et al. reference relates to a highway or traffic safety device and thus is not analogous in any way. One of

U.S.S.N. 10/735,570

13

VSI0101 R

ordinary skill in the art would not look to the Ford et al. reference to solve the problem with prior sports goals.

Nevertheless, even if one consulted the Ford et al. reference, it does not teach or suggest, either alone or in combination with any other reference, Applicants' invention of claim 44. Specifically, the Ford et al. reference does not have a central opening to allow passage of a ball therethrough. Instead, the Ford et al. reference has a platform disposed over the upper surface of the safety device for supporting a flasher light or signal. Further, the device disclosed in Ford et al. does not disclose an inflatable goal structure of any type – let alone one that is at least six feet tall. Moreover, the Ford et al. does not teach a device having a plurality of legs are spaced apart from one another and are open to allow a ball to be readily removed from an interior of the goal structure. Additionally, the Ford et al. reference does not teach an air inflatable device.

For at least these reasons, it is submitted that claim 44 is allowable over the Ford et al. reference. It is also submitted that claims 60 through 62, which depend from claim 44, are allowable for the same reasons.

Bleser et al.

Claim 1:

Initially, claim 1 requires a sports goal. The Bleser et al. reference relates to an inflatable play pen and thus is not analogous in any way. One of ordinary skill in the art would not look to the Bleser et al. reference to solve the problem with prior sports goals.

Nevertheless, even if one consulted the Bleser et al. reference, it does not teach or suggest, either alone or in combination with any other reference, Applicants' invention of claim 1. Specifically, the Bleser et al. reference teaches a play pen having an open top and a floor portion for supporting a mattress. The device disclosed in Bleser et al. simply does not disclose an inflatable goal structure of any type – let alone a goal structure that is approximately eight feet tall. Indeed, the height of the structure in Bleser et al. must be relatively low, i.e. 2-3 feet in order to allow a parent to easily put a child into the play pen and remove them.

U.S.S.N. 10/735,570

14

VSI 0101 R

For at least these reasons, it is submitted that claim 1 is allowable over the Bleser et al. reference. It is also submitted that claims 2 through 8, which depend from claim 1, are allowable for the same reasons.

Claim 9:

Like claim 1, claim 9 also requires a sports goal. Again, the Bleser et al. reference relates to an inflatable play pen and thus is not analogous in any way to this claim. One of ordinary skill in the art would not look to the Bleser et al. reference to solve the problem with prior sports goals.

Nevertheless, even if one consulted the Bleser et al. reference, it does not teach or suggest, either alone or in combination with any other reference, Applicants' invention of claim 9. Specifically, the Bleser et al. reference teaches a play pen having an open top and a floor portion for supporting a mattress. The device disclosed in Bleser et al. simply does not disclose an inflatable goal structure of any type – let alone a goal structure that is approximately six feet tall. Indeed, the height of the structure in Bleser et al. must be relatively low, i.e. 2-3 feet in order to allow a parent to easily put a child into the play pen and remove them.

For at least these reasons, it is submitted that claim 9 is allowable over the Bleser et al. reference. It is also submitted that claims 10 through 16, which depend from claim 9, are allowable for the same reasons.

Claim 35:

Claim 35 requires a sports game consisting of a sports goal and a ball for use therewith. As discussed above, the Bleser et al. reference relates to an inflatable play pen and thus is not analogous in any way. One of ordinary skill in the art would not look to the Bleser et al. reference to solve the problem with prior sports goals.

Nevertheless, even if one consulted the Bleser et al. reference, it does not teach or suggest, either alone or in combination with any other reference, Applicants' invention of claim 35. Specifically, the Bleser et al. reference teaches a play pen having an open top and a floor portion for supporting a mattress. The device disclosed in Bleser et al. simply

U.S.S.N. 10/735,570

15

VSI 0101 R

does not disclose an inflatable goal structure of any type. Moreover, the Bleser et al. reference does not disclose a ball or structure for use with a ball. Instead, the Ford et al. reference has a mattress disposed therein. .

For at least these reasons, it is submitted that claim 35 is allowable over the Ford et al. reference. It is also submitted that claims 57 through 60, which depend from claim 35, are allowable for the same reasons.

Claim 36:

Claim 36 requires a sports goal. As discussed above, the Bleser et al. reference relates to an inflatable play pen and thus is not analogous in any way. One of ordinary skill in the art would not look to the Bleser et al. reference to solve the problem with prior sports goals.

Nevertheless, even if one consulted the Bleser et al. reference, it does not teach or suggest, either alone or in combination with any other reference, Applicants' invention of claim 36. Specifically, the Bleser et al. reference teaches a play pen having an open top and a floor portion for supporting a mattress. The device disclosed in Bleser et al. simply does not disclose an inflatable goal structure of any type – let alone one having a height of at least six feet for the reasons discussed above. Moreover, the Bleser et al. reference does not disclose a ball or structure for use with a ball. Instead, the Ford et al. reference has a mattress disposed therein.

For at least these reasons, it is submitted that claim 36 is allowable over the Bleser et al. reference. It is also submitted that claims 37 through 43, which depend from claim 36, are allowable for the same reasons.

U.S.S.N. 10/735,570

16

VSI 0101 R

Claim 44:

Claim 44 requires a sports goal. As discussed above, the Bleser et al. reference relates to an inflatable play pen and thus is not analogous in any way. One of ordinary skill in the art would not look to the Bleser et al. reference to solve the problem with prior sports goals.

Nevertheless, even if one consulted the Bleser et al. reference, it does not teach or suggest, either alone or in combination with any other reference, Applicants' invention of claim 44. Specifically, the Bleser et al. reference does not have a central opening to allow passage of a ball therethrough. Instead, the Bleser et al. reference teaches a play pen having an open top and a floor portion for supporting a mattress. The device disclosed in Bleser et al. simply does not disclose an inflatable goal structure of any type. Moreover, the Bleser et al. reference does not disclose a ball or structure for use with a ball. Instead, the Bleser et al. reference has a mattress disposed therein. Further, because the sides of the Bleser et al. reference are closed a ball could not be readily removed from an interior of the goal structure. Additionally, the Bleser et al. reference does not teach an air inflatable device.

For at least these reasons, it is submitted that claim 44 is allowable over the Bleser et al. reference. It is also submitted that claims 60 through 62, which depend from claim 44, are allowable for the same reasons.

U.S.S.N. 10/735,570

17

VSI 0101 R

Conclusion:

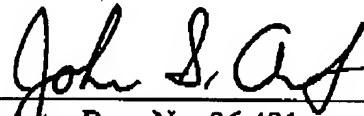
It is submitted that all claims currently pending in the above-identified application are in a condition for allowance. A notice of allowance is therefore earnestly solicited.

If the Examiner should have any questions, he is urged to contact the undersigned at 248-223-9500.

Please charge any fees required in the filing of this amendment to Deposit Account 50-0476.

Respectfully Submitted

ARTZ & ARTZ, P.C.



John S. Artz, Reg. No. 36,431
28333 Telegraph Road, Suite 250
Southfield, MI 48034
(248) 223-9500

Dated: July 13, 2005